

**UNITED STATES BANKRUPTCY COURT
For the Northern District of Illinois
Eastern Division**

In re: Shawn J. Cummings,) Chapter 13
) 21-04067
) Judge David D. Cleary
 Debtors.) Trustee Marilyn O. Marshall
)

NOTICE OF MOTION

To: See attached service list

PLEASE TAKE NOTICE that on June 7, 2021, at 9:30 a.m., I will appear before the Honorable David D. Cleary or any judge sitting in that judge's place, and present the motion of Thomas R. Hitchcock to Withdraw as Counsel, a copy of which is attached.

This motion will be presented and heard electronically using Zoom for Government. No personal appearance in court is necessary or permitted. To appear and be heard on the motion, you must do the following:

To appear by video, use this link: <https://www.zoomgov.com/>. Then enter the meeting ID and password.

To appear by telephone, call Zoom for Government at 1-669-254-5252 or 1-646-828- 7666. Then enter the meeting ID and password.

Meeting ID and password. The meeting ID for this hearing is 161 122 6457 and the password is Cleary644. The meeting ID and password can also be found on the judge's page on the court's web site.

If you object to this motion and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, the motion will be called on the presentment date. If no Notice of Objection is timely filed, the court may grant the motion in advance without a hearing.

/s/ Thomas R. Hitchcock

Thomas R. Hitchcock

Thomas R Hitchcock
Hitchcock & Associates, P.C.
53 West Jackson Blvd.
Suite 724
Chicago, IL 60604
(312) 551-6400

CERTIFICATION

I, Thomas R. Hitchcock, an attorney, certify that a copy of this Notice and attached documents were served upon Marilyn O. Marshall, Trustee, and Patrick Layng, Region 11 United States Trustee via ECF and the remaining above-entitled parties by depositing same in the United States mail at 53 West Jackson Boulevard, Suite 724, Chicago, IL 60604, First Class delivery, proper postage prepaid, this 24th day of May 2021.

/s/ Thomas R. Hitchcock

Thomas R. Hitchcock

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) 21-04067
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**MOTION OF THOMAS R. HITCHCOCK TO
WITHDRAW AS COUNSEL**

NOW COMES THE ATTORNEY, THOMAS R. HITCHCOCK and HITCHCOCK AND ASSOCIATES, P.C., attorneys for the Debtor moves this honorable court pursuant to Bankruptcy Rule 605 and the Illinois Rules of Professional Responsibility 1.16 (b)(1)(D) and 1.1(b)(4) to withdraw his appearance and the appearance of his firm as attorneys for the Debtor. In support of this motion Thomas R. Hitchcock (öHitchcockö) respectfully states the following:

That Debtors filed this petition for relief pursuant to Chapter 13 Title 11 U.S.C. on February 11, 2019, and their Chapter 13 Plan was confirmed on May 31, 2019;

1. That the Debtor commenced a Chapter 13 bankruptcy case (öCaseö) by filing a voluntary petition for relief under the Chapter 13 of title 11 of the United States Code, 11 U.S.C. § 101 et seq. (the öBankruptcy Codeö) on March 29, 2021, in the United States Bankruptcy Court for the Northern District of Illinois, Eastern Division (the öCourtö).
2. The Chapter 13 case has not been confirmed.
3. That Counsel for the Debtor usually serves for the duration of the Chapter 13 case. Mr. Hitchcock has determined that good cause exist for him to withdraw at this point in these proceedings and that he should not have to serve as the Debtor's attorney for the duration of the Chapter 13 plan.
4. That irreconcilable differences have arisen between Debtor and his attorney Thomas R. Hitchcock.
5. That the Illinois Rules of Professional Conduct provide that a lawyer representing a client before a tribunal shall withdraw from employment (with permission of the tribunal if such permission is required) if the lawyer knows or reasonably should know that such continued employment will result of violation in these Rules. See 134 Ill. 2nd RPC 1.16 (A)(1).

WHEREFORE, Attorney respectfully requests and prays for the entry of an order granting leave to withdraw his appearance and the appearance of his law firm as counsel for the Debtor and granting such other and different relief as this Court deems proper and just.

Respectfully submitted,

/s/ Thomas R. Hitchcock

Thomas R. Hitchcock
Attorney for Debtors

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